

Sentencing 7/1/10

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Government,

Case No. 09-cr-20264

-v-

**MICHELE JOHNSON, also known as
Angela Jackson, also know as
Dianne Anne Johnson, also know as
Nancy Lori Walker,**

Defendant.

Sentencing Hearing

BEFORE THE HONORABLE **STEPHEN J. MURPHY, III**
United States District Judge
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan
Friday, July 1, 2010

APPEARANCES:

FOR THE	Mr. Louis Gabel
GOVERNMENT:	U.S. Attorney's Office
	211 West Fort Street
	Detroit, MI 48226
	(313)226-9756
FOR THE DEFENDANT:	Ms. Suzanna Kostovski
	Law Offices of Suzanna Kostovski
	220 Bagley
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	Detroit, MI 48226
	(313)965-6050

Also Present: Ms. Alissa Greer, Courtroom Deputy

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Karen Klerekoper, CSR, RPR - (313)961-1119

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1 Detroit, Michigan

2 July 1, 2010

3 At 3:04 p.m.

4 * * *

5 MS. GREER: All rise. Court is back in session.

6 You may be seated.

7 The Court calls case 09-20264, United States of
8 America versus Michele Johnson.

9 THE COURT: Okay. Mr. Gabel, come on up.

10 Ms. Kostovski and Ms. Johnson, you can come up to
11 the microphone as well and state your names for the record.

12 MR. GABEL: Good afternoon, Your Honor, Louis
13 Gabel on behalf of the United States.

14 MS. KOSTOVSKI: Good afternoon, Your Honor,
15 Suzanna Kostovski, appearing on behalf of Ms. Johnson.

16 THE COURT: Good afternoon, Ms. Kostovski. You
17 have Ms. Johnson standing there next to you?

18 MS. KOSTOVSKI: That's correct.

19 THE COURT: Good afternoon, Ms. Johnson. As an
20 aside, and before we get started, I see that Hanover versus
21 Metro Equity went away?

22 MS. KOSTOVSKI: Yes. That was a very wonderful
23 surprise to the defense.

24 THE COURT: I don't know what happened, but it
25 was a wonderful piece of news for us, too, so thanks for

1 the hard work on that, although I will miss horsing around
2 with you and Mr. Frank, I guess.

3 All right. The first issue we have is a motion
4 to withdraw. I don't know that there is much for you to do
5 here, Ms. Kostovski. But my understanding is that
6 Ms. Johnson, who we all know was convicted at trial, has
7 not worked with you since the filing of the jury verdict.

8 According to the motion that was filed,
9 Ms. Johnson has actually impeded Ms. Kostovski from filing
10 objections to the presentence report because Ms. Johnson
11 refused to discuss the case, or other matters, with
12 Ms. Kostovski. Notwithstanding that, Ms. Kostovski did
13 protect the record by filing some objections, which we will
14 take on momentarily.

15 But I think, first of all, I ought to deal with
16 the motion to dismiss and just ask you, Ms. Kostovski, if
17 there is anything beyond what is in your motion or what I
18 have said in court here today that you would like to put on
19 the record now?

20 MS. KOSTOVSKI: As far as the motion to withdraw,
21 no, Your Honor.

22 I will tell the Court that I did speak about an
23 hour ago with an attorney out of the Brighton, Michigan,
24 area, who apparently has been contacted by someone on
25 behalf of Ms. Johnson to possibly take this matter on

1 appeal.

2 THE COURT: Okay.

3 MS. KOSTOVSKI: And that's basically it. The
4 only other issue is the government filed a sentencing
5 memorandum last Thursday, and I mailed a copy of that to
6 Ms. Johnson on the 25th, the day after. She said she had
7 not received it by today's date. So I'm not sure how you
8 are going to deal with that issue, but I would like
9 Ms. Johnson to at least have the opportunity to go over
10 this.

11 THE COURT: Well, for the convenience and
12 fairness of all involved, I'm going to essentially
13 disregard the government's sentencing memorandum. I have
14 the benefit of a full trial. I saw the videotape. I have
15 a complete probation report and I intend to sentence within
16 the guideline range, and I think that the government is
17 asking for a sentence outside of the guideline range. So
18 I'll give you an opportunity to talk about your objections,
19 and I will give Ms. Johnson an opportunity to speak, but
20 I'm not going to rely on the sentencing memorandum in a
21 material way. Okay?

22 MS. KOSTOVSKI: Your Honor, are you going to rule
23 on my motion first or after --

24 THE COURT: I'm going rule on your motion first.
25 Anything else you would like to say?

1 MS. KOSTOVSKI: Not with respect to the motion.

2 THE COURT: Okay. How about you, Ms. Johnson?

3 Are you incapable of working with Ms. Kostovski at this
4 point?

5 THE DEFENDANT: No.

6 THE COURT: Pardon me? You want her to continue
7 to represent you?

8 THE DEFENDANT: Through this proceeding?

9 THE COURT: Yes.

10 THE DEFENDANT: Yes.

11 THE COURT: All right. Then I'm going to deny
12 your motion and just ask you to handle the sentencing in an
13 orderly manner and we'll relieve you of your obligations
14 afterwards.

15 It appears that the breakdown that existed
16 subsequent to trial, but prior to the issuance of the
17 presentence report, has been resolved and Ms. Johnson seems
18 comfortable with you at this point now. Okay?

19 MS. KOSTOVSKI: Okay, Judge.

20 THE COURT: Very good. Thank you very much.

21 Ms. Johnson, have you had an opportunity to read
22 the presentence report in the case?

23 THE DEFENDANT: Yes, I have.

24 THE COURT: Okay. There are minor issues in
25 dispute, and I'll hear from Mr. Gabel on this. The defense

1 objects to the way paragraph 24 was written, and objects to
2 the way that paragraph 25 was written, submits that the
3 defendant's total offense level would be 17, criminal
4 history 1, with a guideline range of 24 to -- 24 to 30
5 months. Should two points, as opposed to four, be shaved
6 off, then the offense level would be 19, criminal history
7 category 1, for a guideline range of 30 to 37 months. The
8 Probation Office noted the objection, stands by its report
9 and calculates a sentencing range of 37 to 46 months based
10 on a criminal history category 1 and an offense level 21.

11 Mr. Gabel, what is your position on the
12 objections and how the Probation Office report should be
13 amended, if at all?

14 MR. GABEL: Yes, Your Honor. The government
15 opposes the objections lodged by defendant through defense
16 counsel and agrees with the calculations as calculated by
17 the Probation Department. I'm happy to explain the
18 government's rationale on both of those.

19 First, with respect to whether she had materials
20 to produce counterfeit money, that clearly was presented to
21 the jury. I think the argument by defense is the
22 counterfeit was so shoddy that it couldn't really qualify
23 for that enhancement, and that was what the defense
24 presented to the jury. They rejected that beyond a
25 reasonable doubt.

1 For sentencing purposes, we just have the
2 preponderance standard. The Court did see the counterfeit
3 during the course of the trial. It re-created the
4 watermarks, the color, the touch and feel of the money, the
5 security strips. It clearly was high-quality counterfeit.
6 The jury agreed. It was so high quality when handling the
7 real money, along with the counterfeit, we had to be very
8 careful not to mix them up for fear that we would not be
9 able to retrieve the counterfeit from the real money. So
10 that objection is not well founded and should be rejected.

11 I expected the Secret Service agent to be here.
12 I think he will be showing up soon. He will have some of
13 the counterfeit bills in hand from the trial. We are happy
14 to present those to the Court to see if the Court agrees
15 that they are counterfeit that would have possibly
16 defrauded and actually did defraud individuals, because we
17 found that serial numbers similar to the bills that
18 Ms. Johnson had had actually successfully been passed to
19 business owners around the Detroit metropolitan area.

20 THE COURT: Okay. Second point is that the
21 firearm was not used in connection with the offense.
22 What's your response to that?

23 MR. GABEL: We believe it was possessed in
24 connection with the offense. Defense counsel wants to
25 argue that, yes, there was evidence that she had

1 counterfeit bills and, yes, she did have possession of
2 firearms, but they are completely mutually exclusive and
3 the evidence shows that that's not the case.

4 First of all, there is the proximity of the
5 weapons, and I think that's one of the most important
6 points. She had counterfeit bills and she had the proceeds
7 of her counterfeiting in her purse. Along with those
8 counterfeit funds and genuine funds, were two loaded
9 firearms. They were there to protect her in case anybody
10 wanted to disrupt her counterfeiting activities or take the
11 proceeds, which was nearly \$14,000 of genuine currency.

12 Now, with respect to the counterfeit currency in
13 the trunk, if she had to actually go back to her trunk to
14 deal counterfeit money, which she agreed she was meeting
15 people out on the street, so-called runners, which she
16 would give large bundles of counterfeit money. If she had
17 to go to her trunk to retrieve counterfeit to pass to the
18 street runners, she had to be armed there as well. So she
19 had the gun in her trunk in close proximity to the
20 counterfeit funds in her trunk. In fact, the gun was in
21 the same laundry bag where the counterfeit funds were
22 found. So the evidence, I believe, beyond a reasonable
23 doubt, clearly by a preponderance, shows that those
24 firearms were possessed in connection with her
25 counterfeiting crimes.

1 THE COURT: Okay. Ms. Kostovski, you filed your
2 motion. I read it. We have now heard the government's
3 response. You've also seen the response from the Probation
4 Department. Any other argument you would like to lodge
5 with regard to the two objections you made to the
6 presentence report?

7 MS. KOSTOVSKI: Well, just a couple things.
8 First, Your Honor, it's not just the issue of how well the
9 money was made that you need to consider when considering
10 this two-level enhancement. The Ninth Circuit has said
11 that just possession of counterfeit-making materials is not
12 sufficient, and keep in mind that the government did not
13 charge Ms. Johnson with manufacture.

14 I also want to remind the Court that they
15 brought, I believe, a second or third superseding
16 indictment after the agent supposedly discovered these two
17 floppy disks -- not floppy disks, but these flash drives.
18 In a subsequent search of those flash drives, they
19 supposedly found this counterfeit-making material, so they
20 had an opportunity to charge Ms. Johnson with manufacture,
21 but they did not. And I don't think they -- I think they
22 didn't do that because -- for two reasons -- one, I don't
23 think they could prove it; and two, I think they were going
24 to backdoor that argument here to try enhance her sentence
25 by a preponderance standard as opposed to proof beyond a

1 reasonable doubt.

2 Secondly, with respect to the gun enhancement
3 issue, again, she was charged with possession of an
4 obliterated serial number, a weapon. I don't recall any
5 testimony, and Your Honor sat through this court -- sat
6 through the trial where they made any connection. I mean,
7 their whole focus was she had these weapons and one of them
8 had an obliterated serial number. I don't recall anybody,
9 including the agent, testifying that this was in relation
10 to the counterfeiting crime here. Mere possession is not
11 enough.

12 THE COURT: Okay. Sorry to interrupt you, but I
13 guess my recollection is, I rule on this objection -- and
14 you correct me if I'm wrong -- that's what Special Agent
15 Brunson's presence was for. He not only talked about the
16 interstate connection or nexus of the firearms, but stated
17 that in his experience, the location of the firearms
18 indicated that they would be -- they would be used in the
19 fashion that Mr. Gabel argues here today.

20 Am I wrong about that, Mr. Gabel?

21 MS. KOSTOVSKI: I don't recall Special Agent
22 Brunson -- I know he came in here to testify about these
23 being in interstate commerce. They were produced out of
24 state. I don't recall that testimony and I don't have my
25 trial notes with me, Judge; but I don't recall that.

1 I think if -- the other matter that I think is
2 objectionable is, Mr. Gabel said that Ms. Johnson admitted
3 to dealing the counterfeit from the trunk of the car. I
4 don't recall any testimony. I think he's trying to bring
5 to this Court a supposed statement that she gave, which the
6 Court said was not coming in, and now he is using it here
7 to say that that's what she was doing.

8 MR. GABEL: Your Honor, if I may --

9 THE COURT: Short rebuttal.

10 MR. GABEL: -- Agent Brunson. I note there was
11 testimony regarding the proximity of the guns to the
12 counterfeit funds. I'm not sure if that came in through
13 Agent Brunson. But Agent Brunson did testify to the fact
14 that the serial number on one of the guns was punched out
15 and, therefore, making it unable to be traced and,
16 therefore, more useful to be used in connection with other
17 crimes.

18 THE COURT: All right. With regard
19 to -- anything else from either side?

20 MS. KOSTOVSKI: No, Your Honor.

21 THE COURT: With regard to objection number two,
22 the Probation Department applied a two-point increase under
23 2B5.1(b)(4), and elevates the offense level by two, given
24 the fact that guns were presumably or allegedly used in
25 connection with the overall offense of counterfeiting. I

1 find that the adjustment is proper and appropriate. My
2 recollection of the -- in fact, I don't really think this
3 one is even close. My recollection of the -- which doesn't
4 mean you shouldn't have made it. I think it's a valid
5 objection. But the fact that you have two loaded weapons
6 with flash drives in your purse, and \$32,000 of counterfeit
7 money in the trunk, would seem to indicate to me that
8 you're -- especially in the circumstances under which we
9 know she was arrested after being at a hotel with an
10 individual who repaired her car, it would seem to me to be
11 well beyond a preponderance of the evidence for the Court
12 to conclude that the firearms were used in connection with
13 the counterfeiting offense and that 2B5.1B4 therefore
14 applies.

15 I think that objection number one is a closer
16 call. The defendant essentially states that the notes
17 which were introduced at trial were of very poor quality
18 and obviously counterfeit and that an enhancement for
19 materials used for counterfeiting would not be appropriate.

20 The Probation Office has responded that in
21 addition to the currency, there were two flash drives with
22 images of the counterfeit bills, re-creations of security
23 images, and other materials that were taken from the
24 defendant's purse.

25 Mr. Gabel additionally argues here today that the

1 images on the flash drive indicated there were some other
2 materials used to make counterfeiting materials. And
3 granted, the fact of the matter is that the government did
4 not charge manufacture, they charged possession, as well as
5 the firearms, and maybe those were the most readily
6 provable offenses. But I do think that there is certainly
7 sufficient evidence on a preponderance basis to conclude
8 that Ms. Johnson did, in fact, possess materials or had
9 custody of materials used for counterfeiting and,
10 therefore, the two-point enhancement under 2B5.1(b)(2)(A)
11 should apply as well. So I will overrule both objections
12 and receive the report as written.

13 With that in mind, are there any other factual or
14 legal issues about the report that we have not addressed,
15 Mr. Gabel?

16 MR. GABEL: No, Your Honor.

17 THE COURT: Ms. Kostovski?

18 MS. KOSTOVSKI: No, Your Honor.

19 THE COURT: With that in mind, I conclude that
20 the criminal history category here is 1, and that the
21 overall offense level is 21, and that the sentencing range
22 is 37 to 46 months. There is no request for a departure
23 from the defendant, nor do I find one is legally
24 authorized. Mr. Gabel suggests a 24-month increase in the
25 overall offense level to a sentence of 72 months, but as I

1 stated before, I don't consider that to be appropriate
2 here. Under the 3553 factors, I think that a guideline
3 sentence fulfills everything that Congress wanted this
4 Court to accomplish by sentencing and I, therefore, intend
5 to sentence within the 37- to 46-month range.

6 Ms. Kostovski, any remarks you would like to make
7 on behalf of the defendant at this time?

8 MS. KOSTOVSKI: Well, Your Honor, I would ask
9 that you consider a sentence at the bottom of the guideline
10 range, taking into consideration that Ms. Johnson has been
11 incarcerated the whole time since this case started.

12 I won't restate the history of this case. You
13 know it very well. It's been a difficult case. But I
14 don't think that the Court should take that out on
15 Ms. Johnson at this juncture. I think the Court should
16 consider the 3553 factors and fashion a sentence that would
17 be appropriate, and I believe 37 months would be an
18 appropriate sentence here.

19 THE COURT: Very good. Thank you very much,
20 Ms. Kostovski.

21 Ms. Johnson, is there anything you would like to
22 say at this point on your own behalf?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: Nothing?

25 THE DEFENDANT: (Indicating).

1 THE COURT: Okay. Thank you very much.

2 Mr. Gabel, counsel for the government may now
3 lodge any remarks that you would like to make.

4 MR. GABEL: Thank you, Your Honor.

5 I know the Court has already indicated that it
6 believes that a guideline sentence is appropriate and we
7 ask for six years. And when I first thought of what the
8 appropriate sentence for Ms. Johnson would be, my knee-jerk
9 reaction was, given the difficulty she had posed and the
10 frustrating nature of how she handled these court
11 proceedings, was that a severe sentence was necessary. But
12 it's part of our office's job and this Court's job to deal
13 with frustrating litigants, so that's really not an
14 appropriate consideration at sentencing.

15 But then I thought about her conduct in this case
16 and how it relates to the 3553(a) factors, and I do
17 believe, and I renew our request, for a sentence above the
18 guidelines, and that's because her conduct in this case
19 demonstrates the characteristics of the defendant. She has
20 exhibited no remorse for her crimes, no remorse for the
21 victims who she duped out of money. She has not apologized
22 or exhibited any remorse for the officers who were in
23 harm's way when they arrested her when she had possession
24 of three loaded firearms. I have no reason to believe that
25 the defendant is going to change her ways. As she

1 increases in age, the severity of her conduct and the
2 seriousness of her criminal activity increases. She
3 presents as a person who simply won't be deterred and I
4 believe she will return to crime once she is released. She
5 has shown she has no respect for the law and all of these
6 factors are legitimate 3553(a) factors, and her conduct in
7 this case weighs on those factors. But I don't want that
8 to overshadow the seriousness of her conduct in this case.
9 And the Court is well aware of her conduct in possessing
10 the firearms, fleeing from law enforcement, lying to law
11 enforcement, stealing individuals' identities, a number of
12 things that simply are not reflected in the guidelines;
13 therefore, the government believes the guidelines are too
14 low.

15 When you look at the statutory range that
16 Congress allows in this case, zero to 20 years, the
17 government's position is that she falls, if not at the high
18 end for her conduct -- because this is not a garden-variety
19 counterfeiting offense. This is one of the more serious
20 ones that I have seen in my admittedly short time in the
21 U.S. Attorney's Office. It's not a garden-variety offense.
22 It skews towards the midpoint of where Congress allows the
23 Court to sentence individuals who are convicted of
24 counterfeiting. So in that zero to 20-year range, we
25 believe the 6-year mark is the appropriate sentence.

1 Thank you.

2 THE COURT: Thank you very much.

3 The first thing I would like to say is, the first
4 time I had the parties appear before me on this case, I
5 expressed a great deal of frustration with Ms. Johnson as
6 well, and I was concerned that she had -- she had been
7 through four attorneys at that time, Ms. Kostovski being
8 her fifth. I also sent Ms. Johnson for a psychiatric exam,
9 because the more I became involved and knowledgeable of the
10 case, the more I was concerned that she wasn't fully aware
11 of the gravity of what confronted her, but the results of
12 that evaluation proved otherwise. I really think we just
13 have, very simply, a person who fits the profile of a
14 person who is convicted of criminal behavior and hasn't
15 accepted responsibility for her crimes.

16 I've attempted -- and frankly, the government and
17 the three defense attorneys that I was most familiar with
18 in the case all did yeoman work to attempt to get her some
19 help, but she doesn't want any help. I don't dispute many
20 of the things that you say, Mr. Gabel. In fact, I'm
21 extremely, extremely troubled by that car chase, because
22 that, in an act of gross irrationality, not only endangered
23 the officers but a number of innocent people in the
24 neighborhood as well, and I think I could probably depart
25 from the guideline range upward on that basis alone. But

1 I'm not going to because I think it's a job of the Court to
2 put aside personal concerns and to sentence in an
3 honorable, decent fashion that establishes deterrence,
4 punishment, and some sort of effort at rehabilitation upon
5 release. And that's what I'm going to do here. And I'm
6 not going to let my frustration, to the extent I have any
7 -- and I really don't have any left anymore, get the better
8 of me, in this particular case.

9 Accordingly, I will state the sentence and I will
10 give both lawyers an opportunity to make any legal
11 objections before it's finally imposed.

12 As to Counts One and Two on the first superseding
13 indictment, pursuant to the Sentencing Reform Act of 1984,
14 the Court has considered the sentencing guideline factors
15 fully and has also gone through its analysis under 18
16 U.S.C. Section 3553(a), I hereby commit the defendant,
17 Michele Johnson, to the custody of the United States Bureau
18 of Prisons to be imprisoned for a period of 46 months on
19 each count, to be served concurrently. A facility that
20 offers mental health treatment and educational and
21 vocational programming is highly recommended for her
22 placement. A \$100 special assessment on each count for a
23 total of \$200 is ordered, and that's due forthwith.

24 The Court waives imposition of a fine and the
25 cost of supervision due to the defendant's inability to

1 pay. And upon release from imprisonment, the defendant
2 shall be placed on a term of supervised release for a
3 period of three years on each count. That's concurrent as
4 well. The mandatory drug testing condition is imposed.

5 While on supervision, the defendant shall abide
6 by the standard conditions adopted by the U.S. Probation
7 Office for the District Court of the Eastern District of
8 Michigan and shall comply with the following special
9 conditions. There is a potential substance-abuse history
10 here, so number one, if necessary, the defendant shall
11 participate in a program approved by the Probation
12 Department for substance abuse, which may include testing
13 to determine whether the defendant has reverted to the use
14 of drugs or alcohol.

15 There are, in my view, very possible and
16 significant unresolved mental health issues, and
17 accordingly, on supervised release, if necessary, the
18 defendant shall participate in a program approved by the
19 Probation Department for mental health counseling. That
20 will be the sentence of the Court.

21 Anything you would like to say in response to
22 what I have just imposed that you haven't already said,
23 Ms. Kostovski?

24 MS. KOSTOVSKI: No, Your Honor.

25 THE COURT: Mr. Gabel?

1 MR. GABEL: No, Your Honor.

2 THE COURT: Is any --

3 MS. KOSTOVSKI: Your Honor?

4 THE COURT: Go ahead.

5 MS. KOSTOVSKI: She was asking me whether she has
6 to do this at the Wayne County jail, and I said no. You're
7 are going to the Bureau of Prisons?

8 THE COURT: Right. We'll speak to that in a
9 minute, but I'm glad you asked that question, but I will
10 answer it as I go through the remainder of my remarks here.

11 I hereby order the sentence that I just stated to
12 be imposed.

13 Ms. Johnson, you have the right to appeal your
14 conviction and sentence in this case. If you believe that
15 you want to appeal and you have the right, which I just
16 instructed you, you may consider doing so in forma
17 pauperis, which means without having to pay fees. The
18 Clerk of the Court will prepare and file a Notice of Appeal
19 upon your request, with very few exceptions. Any Notice of
20 Appeal must be filed within ten days of the entry of
21 judgment, which will probably occur tomorrow at the very
22 latest.

23 The defendant is in custody and hereby remanded
24 to the custody of the Marshal for the service of the
25 sentence. I don't know exactly where you're housed at

1 right now, but you're at a temporarily facility which eased
2 your appearance for trial and this proceeding. Shortly the
3 Marshals will move you to a federal correctional facility
4 for service of your sentence and mental health treatment
5 and work, and other things. But that's up to the Bureau of
6 Prisons, not me. They will let you know where you are
7 going to go.

8 I want to verify for the record that both parties
9 have copies of the presentence report, correct?

10 MS. KOSTOVSKI: Correct.

11 MR. GABEL: Correct.

12 THE COURT: We will furnish you with amended
13 copies reflecting any corrections and resolutions of issues
14 that we resolved today. A complete corrected copy is going
15 to be prepared for the Bureau of Prisons, as well as the
16 Sentencing Commission. I just admonish both counsel, as
17 they well know, that any copies of the PSR is strictly
18 confidential.

19 If Ms. Johnson appeals, counsel on appeal is
20 going to be permitted access to the report and any
21 recommendations submitted to me by the Probation Department
22 will not be disclosed to counsel and there won't be access
23 to recommendations, in any event. Okay?

24 Anything from either side?

25 MS. KOSTOVSKI: Judge, I just have a couple

1 questions.

2 THE COURT: Of course.

3 MS. KOSTOVSKI: Am I now relieved of my --

4 THE COURT: Yes.

5 MS. KOSTOVSKI: -- court-appointed duties?

6 THE COURT: You're discharged.

7 MS. KOSTOVSKI: I'm discharged.

8 The second question is, does the Court have a
9 notice of appeal form or in forma pauperis form that we can
10 give to Ms. Johnson so she can request an appeal?

11 THE COURT: I don't know. Ms. Greer, I don't
12 think she has one at her side right there, but through the
13 Federal Defender's Office and the Clerk, we will line her
14 up with whatever she needs to get to file a Notice of
15 Appeal, if that's what she wishes to do. Okay.

16 Anything else?

17 MS. KOSTOVSKI: No, that's it.

18 THE COURT: Mr. Gabel?

19 MR. GABEL: No, Your Honor.

20 MS. KOSTOVSKI: Thank you.

21 THE COURT: Good luck to you, Ms. Johnson. I
22 want to thank, as I have done several times in the past,
23 the lawyers in the case for their continued good advocacy
24 and professional conduct. We will adjourn now.

25 MS. GREER: All rise.

1 (Proceedings concluded at 3:36 p.m.)

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CERTIFICATE OF REPORTER

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s/ Karen Klerekoper

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KAREN KLEREKOPER, CSR, RPR

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Official Court Reporter

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